

REQUEST FOR PERSONAL INTERVIEW

Prior to a next action on the merits, Applicants request that the courtesy of a Personal Interview be extended to Applicants' representative, Michael R. Casey, who can be reached at 703-413-3000.

REMARKS/ARGUMENTS

Favorable reconsideration of this application, in light of the following discussions, is respectfully requested. Claims 1-19 are currently pending in the application. No claims have been added, amended or canceled herewith.

In the outstanding Office Action, Claims 1-19 were rejected under 35 U.S.C. § 103(a) as unpatentable over Sudo (U.S. Patent No. 5,692,192) in view of Eilert et al. (U.S. Patent No. 6,393,455) in view of Achenson et al. (U.S. Patent No. 6,477,586). That ground for rejection is respectfully traversed. Claim 1 recites "reassigning a call flow event from the call flow event queue associated with the first thread to the call flow event queue associated with a second of the plurality of threads." In rejecting this claim, the office action asserts that the '192 patent teaches that "a node having a lighter load than the load of the concerned node is searched for by collecting load information about other nodes." However, this appears to confirm that node-based balancing is performed by the '192 patent, without "reassigning a call flow event from the call flow event queue associated with the first thread to the call flow event queue associated with a second of the plurality of threads."

As a result, the office action relies on the '455 patent and the '586 patent. However, since the office action admits that the '455 patent does not disclose "each thread having an associated call flow event queue," the '455 patent does not teach the same positively recited limitation not taught by the '192 patent.

The office action has also not shown that the '586 patent teaches "reassigning a call flow event from the call flow event queue associated with the first thread to the call flow event queue associated with a second of the plurality of threads," where the first thread was determined to be a thread that "is inefficiently handling its assigned call flow workload." As such, none of the cited references taken individually teaches the same positively recited limitations discussed above. Since the references do not teach the same missing limitations, the combination of references also must fail to teach the elements not taught individually by those references. Thus, claim 1 and its dependent claims are patentable over the cited combination of references.

The cited combination of references is also deficient in that the motivation alleged to be present by the office action is not supported by those references. The office action has not cited to a single paragraph showing that a deficiency was recognized to have existed in any of the cited references such that one of ordinary skill in the art would have been motivated to modify the references – especially not in the claimed manner. Thus, the rejection should be withdrawn on that basis as well.

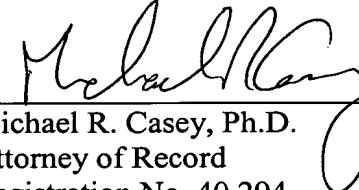
Claims 8 and 15 should likewise be patentable for reasons analogous to the reasons set forth for the patentability of claim 1 above.

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Reply to Office Action of February 26, 2004

Consequently, in view of the present amendment and in light of the above discussions, the outstanding grounds for rejection are believed to have been overcome and in condition for allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.


Michael R. Casey, Ph.D.
Attorney of Record
Registration No. 40,294

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 06/04)